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13 Attorneys for the United States of America

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA,

18 Plaintiff,

19 v.

20 \$50,040 IN UNITED  
21 STATES CURRENCY,

22 Defendant.

23 No. C 06-4552 WHA

24 STIPULATION AND ORDER  
25 RESCHEDULING MOTION HEARING  
26 AND CONTINUING CASE  
27 MANAGEMENT CONFERENCE

28 MICHAEL MOSS,

29 Claimant.

30 The parties agree, subject to the Court's approval, that the hearing on the motion of  
31 claimant to dismiss pursuant to Rule 12(b), Federal Rules of Civil Procedure, shall be  
32 rescheduled to February 8, 2007, at 8:00 a.m., and that the opposition of the United States to that  
33 motion shall be filed on or before January 17, 2007, and that the reply of claimant shall be filed  
34 on or before January 31, 2007.

1 The requested rescheduling is for a number of reasons. Due to health reasons, the

2 undersigned government counsel has been absent from work quite often this autumn and, as a  
3 result, has fallen behind in work responsibilities. Also, the parties have had difficulty in  
4 coordinating the demands of the schedules of both counsel during December and January. In  
5 addition, the rescheduling will give the parties an opportunity to explore whether the case may be  
6 resolved by non-judicial means.

7 Because a case management conference would not logically move this case forward until  
8 after the resolution of the claimant's pending dispositive motion, the parties further agree, subject  
9 to the Court's approval, that the case management conference scheduled for November 30, 2006  
10 be taken off calendar. An additional reason for taking the CMC off calendar on November 30 is  
11 that counsel for claimant has a conflict and will be in Washington, D.C. on business at that time.  
12 Finally, the parties further agree that, following the resolution of the pending dispositive motion,  
13 that the Court reschedule the case management conference, if necessary.

14 IT IS SO STIPULATED:

KEVIN V. RYAN  
United States Attorney

*Patricia J. Kenney*  
PATRICIA J. KENNEY  
Assistant United States Attorney

*Brenda Grantland*  
BRENDA GRANTLAND, Esquire  
Attorney for Claimant

16 Dated: November 21, 2006

18 Dated: November 21, 2006

21 PURSUANT TO THE FOREGOING STIPULATION, IT IS SO ORDERED ON THIS  
22 27th DAY OF NOVEMBER, 2006, THAT THE PARTIES' BRIEFING SCHEDULE SET  
23 FORTH ABOVE IS ADOPTED AND THAT THE CASE MANAGEMENT CONFERENCE  
24 CURRENTLY SCHEDULED FOR NOVEMBER 30, 2006 BE TAKEN OFF CALENDAR  
25 is reset for February 22, 2007, at 11:00 a.m.  
UNTIL FURTHER ORDER OF THIS COURT.

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28  
HONORABLE WILLIAM ALSUP  
United States District Judge

